

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA

§

V.

§

CASE NO. 4:07cr162

NICK JOSEPH ELINA, III

§

(Judge Schell)

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND FINDING**  
**DEFENDANT GUILTY ON COUNTS ONE AND TWO OF THE INFORMATION**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Don D. Bush regarding Defendant's plea of guilty to Counts One and Two of the Information in the above-numbered cause. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the guilty plea of the Defendant. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge are hereby ADOPTED.

It is finally ORDERED that the Court finds Defendant GUILTY on Counts One and Two of the Information in the above-numbered cause.

**SIGNED this the 31st day of October, 2007.**

  
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RICHARD A. SCELL  
UNITED STATES DISTRICT JUDGE